



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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January 18, 2011

Bruce Boler
Tamiami Trail EIS Project Manager
Everglades National Park
950 N. Krome Avenue
Homestead, Florida 33034

SUBJECT: Final Impact Statement for the Tamiami Trail Modifications: Next Steps Project
in Everglades National Park, Florida;
CEQ Number 20100464

Dear Mr. Boler:

The U.S. Environmental Protection Agency (EPA) has reviewed the referenced Final Environmental Impact Statement (FEIS) in accordance with its responsibilities under Section 309 of the Clean Air Act and Section 102(2)(C) of the National Environmental Policy Act. The project purpose was developed as part of the 2009 Omnibus Appropriations Act which directed the National Park Service (NPS) to evaluate the feasibility of additional bridge length, including a continuous bridge or additional bridges or some combination thereof, for the Tamiami Trail (U.S. Highway 41) to restore more natural water flow to Everglades National Park (ENP) and Florida Bay in south Florida. The project will assist in restoring habitat within ENP and ecological connectivity between ENP and the Water Conservation Areas north of Tamiami Trail.

Six alternatives, including the no action alternative, were developed as approaches to improve Tamiami Trail in this corridor and increase hydrologic flow into ENP. All alternatives include bridge construction and reconstruction of the remaining highway, with differences being the lengths and locations of the bridges or prefabricated culverts. Alternative 6e, which is the maximum bridging alternative and includes 5.5 miles of bridges and the remaining highway raised to an elevation of 12.3 feet, was identified as the preferred alternative. The typical roadway section will consist of two 12-foot wide travel lanes, 5-foot paved shoulders on each side of the roadway, and 6.5-foot grassed shoulders along the outside of the paved shoulders. Access facilities, such as ramps to the bridges or elevated roadway, would be provided for existing businesses/access points. Staging areas for construction equipment and materials may be located at business sites along the corridor. This project would generate a large quantity of material excavated from the road bed that could be disposed or recycled for use in other area projects.

EPA recognizes the importance of removing obstacles to flow at Tamiami Trail and supports the NPS in the implementation of this project. This issue has become a critical component in all Everglades restoration planning for the future. Successful ecological restoration of the Everglades system hinges on substantial modifications to Tamiami Trail, as proposed in this project and the preferred alternative in particular. It is important to note that all

action alternatives will have a long-term, beneficial effect on hydrology based on their capacity to convey flows and relative low velocities. The preferred alternative provides the most bridging of all alternatives and consequently would provide for the highest restoration of floodplain values and functions compared to the other alternatives. In addition, all action alternatives would result in an increase in ecological connectivity in ENP. The ability for wildlife to move between habitat components is crucial for maintaining wildlife population health and diversity. Tamiami Trail has long represented a barrier to wildlife movement to the north and south, and the construction of bridges would provide much improved access for a number of species.

All action alternatives will have short-term, adverse, minor localized effects on a number of resource categories during road reconstruction. Excavation of the project area and other construction-related disturbance activities would cause temporary impacts to water quality in Northeast Shark River Slough, such as increased total phosphorus, total suspended solids, and turbidity in the surface water in all of the bridging alternatives. Implementation of the preferred alternative would result in unavoidable temporary and permanent direct impacts to approximately 102 acres of jurisdictional wetlands.

EPA offers the following comments:

This FEIS is based on the best available scientific and engineering information, and although no significant adverse impacts are expected, a low probability of risk is always present. Mitigation measures and BMPs should be used to prevent or minimize potential adverse impacts associated with the selected alternative. Because predictions of cumulative impacts are, to a degree, inherently uncertain, mitigation measures and BMPs should be maintained and updated throughout the project to include, but not limited to, the following issues:

The FEIS has a thorough review of the setting and context related to climate change/sea level rise in the project area and does a good job of analyzing the potential for climate change impacts in each of the impact categories. EPA recommends that the mitigation measures and BMPs consider sea level rise and adaptation of the preferred alternative in the context of the proposed modifications.

An operational plan for manipulation of water levels in the L-29 Canal is being developed. Full realization of project benefits is dependent upon an operational plan that utilizes the structural capacity of the preferred alternative. Potential benefits that would occur once an operational plan is defined and executed include enhancement of degraded wetland habitats within the Northeast Shark River Slough system. The FEIS suggests that implementation of the preferred alternative in conjunction with a new operational plan would mitigate for itself, meaning that permanent and temporary wetland impacts associated with the construction of the proposed project would be offset by the enhancement to wetlands attributed to changed operations. However, long-term effects to wetlands resulting from operations remain unknown, since an operational plan has not yet been developed for the project alternatives. Since there is uncertainty as to the level of wetland improvements that would be achieved with the operation of the project, EPA recommends that the mitigation measures and BMPs consider the timing of development of the operations plan.

Also the NPS should consider an adaptive management strategy that would address appropriate mitigation responsibilities should anticipated project benefits not adequately offset the project's impacts to wetland value and functions. An off-site mitigation plan should be implemented. As stated in the FEIS potential off-site mitigation scenarios may include purchase of mitigation bank credits at Hole-in-the-Donut Mitigation Bank or performing mitigation elsewhere on ENP property.

A number of specific resource protection measures, as well as a comprehensive monitoring and evaluation program, are proposed to be implemented during and after construction. Construction procedures would include the use of best management practices to contain disturbed sediments and reduce water quality impacts. These practices would include employment of staked silt fences and turbidity barriers. The turbidity barriers would be employed in canals and deep water sites prior to commencement of construction at a sufficient distance from the work zone. Anticipated monitoring during construction would include water quality monitoring and monitoring for protected wildlife species. A turbidity monitoring plan would be implemented during construction to ensure continued compliance with state water quality criteria. If monitoring reveals that turbidity levels exceed the standards, construction activities would be immediately halted and would not resume until corrective actions are employed. Anticipated long-term monitoring/maintenance would include roadway/bridge monitoring for maintenance activities conducted by FDOT.

Because the project is located in an Outstanding Florida Water (OFW) which has restrictive water quality requirements including no degradation of water quality above ambient levels, EPA strongly recommends implementation of all mitigation measures described above. All turbidity barriers should remain in place and be inspected daily throughout the construction phase of the project. After construction, temporarily disturbed areas should be restored to pre-existing conditions (e.g. regraded, soil uncompacted, etc) in upland areas and wetlands allowed to reestablish naturally. To further assist in the long-term reduction of pollutant loadings to surface water resources in the project area, EPA recommends that all stormwater runoff from the proposed roadway be collected and treated before being discharged to surface waters. Drainage from bridges and elevated sections should be diverted and discharged to upland areas, as much as possible, to assist in attenuation of stormwater pollution. Given the large quantity of material excavated from the road bed, EPA also strongly recommends recycling as much material as possible for use in other area projects.

We support the need for additional downstream flows to ENP, and this project is an important step to restore natural hydrologic conditions in ENP. We also strongly agree with the need for a robust monitoring and evaluation program to determine the potential for any adverse impacts from the project. We appreciate the opportunity to review the proposed action. Please contact Ken Clark of my staff at (404) 562-8282 if you have any questions or want to discuss our comments further.

Sincerely,

A handwritten signature in dark ink, appearing to read "H. Mueller", with a stylized, cursive script.

Heinz J. Mueller, Chief
NEPA Program Office
Office of Policy and Management